IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL SIDE JURISDICTION

CHAMBER SUMMONS NO.593 OF 2004
IN
SUIT NO.704 OF 1993

Mrs. Shanti Gopalkrishnan ...Plaintiff
Vs.
Mrs. Vasanta Kumaran & Ors. ...Defendants
And
National Beverages Ltd. ...Applicants
And
Ms. World Wide Management Consultants
Pvt. Ltd. & Ors. ...Respondents

Applicants and Advocate absent
Mr. Pramodkumar i/b. M/s. Pramodkumar & Co. for Plaintiff
Mr. Sean Warssudew i/b. Mr. P.S.Pillai for Defendant Nos.2 & 3
Ms. Meena Kshirsagar i/b. Mr. S.R.Mishra for Defendant No.1.

CORAM: ROSHAN DALVI, J.
DATED: 19TH DECEMBER, 2005

P.C.

. Applicants and Advocate absent. This is a unique Chamber summons for an order directing the Court Receiver to pay the monthly deposit amount deposited by Respondent No.1 in the account of the partnership firm of the Plaintiff and the Defendants being M/s. G.K. Export Corporation to the Applicants. It also claims that no further amounts should be disbursed by the Court Receiver to any of the parties in this suit.

. The Court Receiver has to act as per the order

of the Court appointing Court Receiver. The Applicant is stated to be a creditor of the firm of the plaintiff and the defendants. The monthly deposit amounts only accrue for the benefit of the successful party in this suit; it cannot be paid off to any creditors. Directing the Court Receiver to pay any creditors or withholding the amount by Court Receiver would in terms constitute a security for a creditor who is otherwise an unsecured creditor. All the parties appearing before me, being the plaintiffs, Defendants 1 as well as Defendants 2 and 3 state that the Chamber Summons is not maintainable. Chamber Summons is dismissed. N.O.C.

(ROSHAN DALVI, J.)